

On motion of Mr. Hartley, a bill to incorporate the Galveston, Houston and Henderson railroad company was taken up and passed by a constitutional majority; yeas 50, nays none.

On motion, the House adjourned until half-past 9 o'clock, A. M. to-morrow.

AUSTIN, January 29, 1853.

House met—roll called—quorum present.

Absentees: Messrs. Browder, Evans of B., Hamilton, Hooker, Hord, Howard, Johnson, Neighbors, Sims, Speights, Stewart, Thomson and Turner.

PETITIONS.

Mr. Bee presented the petition of G. B. Lamar, asking relief; referred to the committee on Public Debt.

REPORTS OF STANDING COMMITTEES.

Mr. Cannon, chairman of committee on Education, reported a bill to be entitled an act to charter Churchill Academy, recommending its passage with the following amendments:

In the 1st section, strike out the words "Senate and House of Representatives," and insert "Legislature."

Strike out the 7th and 8th sections, and after 6th section insert: "Section 7. And that this act take effect and be in force from and after its passage."

Report and bill received to come up in their regular order.

Mr. Stapp, chairman of the committee on the Land Office, to whom was referred the petition of Sumpter Turner, asking for the issuance of duplicate land certificates, reported the same back with an accompanying bill and recommended its passage; and also recommending a general law be passed authorizing the issuing of duplicate certificates by the Commissioner of the General Land Office.

Bill and report received to come up in their order.

Mr. Crockett, chairman of the committee on Counties and County Boundaries, to whom was referred a bill to be entitled an act to create the county of _____, reported the same back and recommended its passage.

Report and bill received to come up in their order.

Mr. Thomson, one of the committee on Private Land Claims, No. 1, to whom was referred a bill to be entitled an act for the relief of John Hughes and the heirs of John C. Sullivan, reported the same back to the House and recommended its passage.

Mr. Lane, chairman of the committee on Private Land Claims, No. 1, to whom was referred the petition of Eli Diel, praying relief, reported the same back and recommended that the relief be granted.

Report received to come up in its order.

Mr. Lane, chairman of the committee on Private Land Claims, No. 1, to whom was referred the petition of William McCoy, reported the same back, with an accompanying bill, and recommended its passage.

Report and bill received to come up in their order.

Mr. Lane, chairman of the committee on Private Land Claims, No. 1, to whom was referred the petition of Samuel Vesey, praying relief, reported the same back and recommended that the relief be granted.

Report received to come up in its order.

Mr. Lane, chairman of the committee on Private Land Claims, No. 1, to whom was referred a bill for the relief of Charles A. Warfield, reported the same back to the House and recommended its passage.

Report and bill received to come up in their order.

Mr. Lane, chairman of the committee on Private Land Claims, No. 1, to which was referred the petition of George Joy, praying relief, reported the same, with an accompanying bill, and recommended its passage.

Report and bill received to come up in their order.

Mr. A. J. Hood, chairman of the committee on Engrossed Bills, reported the following bills as correctly engrossed :

A bill to be entitled an act to incorporate Stinson's Ferry and Turnpike Company ;

A bill to define the time of holding the courts in the tenth judicial district ;

A bill to incorporate the town of Mount Vernon in Titus county ;

A bill to authorize the payment, by the Treasurer of the State, of the amount allowed by the certificate of the Auditor and Comptroller, therein named ; and,

An act to incorporate the Marshall Railroad Company.

Report accepted.

Mr. Tankersly, chairman of the committee on Enrolled Bills, reported the following act correctly enrolled :

An act to authorize the clerk of the District Court of Houston county to transcribe certain records.

Report accepted.

Mr. Reid, one of the committee on Internal Improvements,

to whom was referred a bill to incorporate the Victoria and Indianola Plank and Turnpike Road Company, reported the same back to the House and recommended its passage.

On motion of Mr. Stapp, the rule requiring bills to be read on three several days, was suspended; bill read second time and ordered to be engrossed.

On motion, rule further suspended; bill read third time and passed by a constitutional majority: yeas, 46; 2 nays.

BILLS AND RESOLUTIONS.

Mr. A. J. Hood introduced a bill for the relief of Wm. E. Probert; read first time.

Mr. McFarland introduced a bill to be entitled an act relative to married women, infants and other persons laboring under disabilities; read first time.

Mr. McFarland moved a suspension of the rule; carried.

Bill read second time and referred to Judiciary committee.

Mr. McFarland introduced a bill to be entitled an act to incorporate the town of La Grange in the county of Fayette; read first time.

On motion, rule suspended, bill read second time and referred to the committee on Counties and County Boundaries.

A message was received from the Senate, through their Secretary, informing the House that the Senate had passed the following bills originating in the Senate:

A bill to amend an act to incorporate the Brazos and Colorado Railroad Company;

A bill to incorporate the town of Mount Pleasant in Titus county;

A bill to incorporate the Cold Spring Female Academy;

And, also, that they had passed the following bill originating in the House of Representatives, with an amendment:

A bill to be entitled an act to incorporate and establish St. Paul's College.

Mr. Bryan of Brazoria presented a bill for the erection of a Lunatic Hospital; read first time.

Mr. Camp introduced an act supplementary to an act entitled an act to incorporate the Vicksburg and El Paso Railroad Company; read first time.

Mr. Cannon introduced a bill to be entitled an act supplementary to an act to organize county courts; read first time.

On motion, rule suspended, bill read second time and referred to committee on Finance.

Mr. Thomson introduced the following resolution:

Resolved, That the committee on the Judiciary be instructed to enquire into the necessity of appointing a commission, on the part of the State of Texas, to proceed to Mexico and procure the originals, or copies of the original archives of that Government, in relation to land titles in Texas; also, to procure all the laws relating to Texas which are not included in our present compilation of the laws of the State of Coahuila and Texas; and that said committee, at their earliest convenience, report by bill or otherwise. Adopted.

Mr. Hood, chairman of the committee on Engrossed Bills, reported as correctly engrossed the following bills:

A bill entitled an act to define the time of holding the District Courts of the thirteenth judicial district; and,

A bill for the relief of the inhabitants of Presidio de San Elizario in El Paso county.

Report accepted.

Mr. Cannon introduced a bill for the relief of Ulysses Aignir; read first time.

Rule suspended; read second time and ordered to be engrossed; rule further suspended, and bill read third time and passed.

On motion of Mr. Tankersly, the bill incorporating St. Paul's College, was taken up, and the amendment of the Senate read and concurred in.

Senate's bill concerning offences committed by negroes, read first time; and, on motion, rule suspended, bill read second time and referred to Judiciary committee.

The resolution of the Senate, the House of Representatives concurring, that the two Houses will adjourn *sine die*, on Wednesday, the 2d of February, 1853, was taken up and read.

Mr. Tarver moved to strike out "Wednesday, the 2d February," and insert "Monday, the 7th February."

Mr. Cannon moved to amend by inserting "Monday, the 14th February."

A motion was made to lay the amendments upon the table.

A division of the question was called for.

The question was then taken and lost.

The question then recurred on the amendment offered by Mr. Cannon; taken and lost.

The question was then put on the amendment of Mr. Tarver, and amendment adopted.

Mr. Bryan of Brazoria moved to lay the resolution, as amended, on the table; upon which the ayes and noes were called for and stood as follows: yeas, 26; nays, 36.

Question was then taken on the adoption of the resolution, as amended; resolution adopted.

Mr. Tarver moved to reconsider the vote taken on yesterday, upon the bill to define the boundary line between Bexar, Milam and Fannin Land Districts; carried.

Mr. Neighbors moved to re-refer the bill to the committee on Public Lands; carried.

On motion of Mr. Andrews, a bill to amend an act entitled an act relinquishing the title of the State to lots on Galveston Island, approved February 16, 1853, was taken from the table, and read second time; and, on motion, re-referred to the Judiciary committee.

Mr. Hood offered the following amendment:

That nothing in this act shall be so construed as to entitle any person to the privileges or benefits granted by this act, unless such person or persons shall have actually occupied said lands by settlement, for at least three years previous to the 1st day of January, 1852.

A motion was made to adjourn until three o'clock, P. M.; lost.

A motion was made to adjourn until 9 o'clock, A. M., Monday; lost.

A message was received from the Senate, informing the House that the Senate had passed a bill, originating in the House of Representatives, making appropriations to defray the expenses of the volunteers called into the service of the State for the protection of the frontier; also, the following bills originating in the Senate:

A bill to incorporate the town of Seguin in Guadalupe county; and,

A bill for the relief of Calvin Boales.

Mr. Taylor of Fannin moved to refer the bill and amendments, under consideration before the message from the Senate was received, to the committee on the Judiciary; carried.

On motion of Mr. White, the House adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

House met—roll called—quorum present.

Mr. Tankersly, chairman of the committee on Enrolled Bills, reported that the act to authorize the clerk of the district court of Houston county to transcribe certain records, originating in the House of Representatives, with the signatures of the Speaker and President of the Senate, was this day pre-

sented to his Excellency, the Governor, for his approval; and also, that the following act has been examined and found to be correctly enrolled:

An act making appropriations to defray the expenses of the volunteers called into the service of the State for the protection of the frontier.

A bill entitled an act explanatory of an act for the relief of certain persons formerly prisoners in Mexico, approved February 9, 1850; read third time and passed.

A bill entitled an act to authorize S. P. Hollingsworth and his associates to construct a bridge across the Sabine river, was taken from the table, read second time and ordered to be engrossed; and, on motion of Mr. Lawson, the rule was suspended, and bill read third time.

Mr. Evans of Bexar moved a call of the House; carried.

Mr. Lawson moved a suspension of the call; carried.

The vote was then taken on the final passage of the bill; passed by a constitutional majority: yeas, 49; nays, 2.

Mr. Browder moved to take up a bill for the relief of A. J. Cook; carried; bill read second time and referred to the committee on Private Land Claims, No. 1.

Mr. Maverick presented the following report:

January 29, 1853.

Hon. D. C. DICKSON,

Speaker of the House of Representatives:

The undersigned of the Select committee, to whom was referred the memorial of the committee representing the German Emigration Company and the creditors of said Company, beg leave to present a report and accompanying bill, which is the result of an amicable agreement between the various parties concerned, and to recommend that the same be referred, (with accompanying papers) to the committee on the Judiciary.—Many cogent reasons, in the opinion of your committee, require that this whole matter be submitted to the Judiciary committee.

Respectfully submitted.

S. A. MAVERICK,

H. B. ANDREWS.

Report adopted.

Mr. A. J. Hood made the following report:

COMMITTEE ROOM, January 29, 1853.

Hon. D. C. DICKSON,

Speaker of the House of Representatives:

A bill to be entitled an act to erect the counties of Cameron,

Hidalgo, Starr, Nueces, San Patricio and El Paso into separate land districts;

An act relative to certain special liabilities reported by the Auditor and Comptroller, and confirmed by the Legislature; and,

A bill to be entitled an act to appropriate and set apart two millions of dollars as a special school fund, have been examined by the committee on Engrossed Bills; and the said bills are reported correctly engrossed. Respectfully,

Report accepted.

A. J. HOOD, Chairman.

On motion of Mr. Evans of Bexar, a joint resolution concerning the archives of Bexar county, was taken from the table, read second time, and ordered to be engrossed.

On motion, rule suspended; bill read third time and passed.

Mr. Reid offered the following resolution:

Resolved, That the business presented to the Legislature during the first week of this session, and now on the Speaker's table, which is of a general nature, be disposed of before any other business.

Resolution laid on the table one day for consideration.

Mr. Taylor of Fannin presented a joint resolution amending the Constitution; read first time.

A bill authorizing the issuing of duplicate land warrants, discharges and head-rights, on certain conditions, and providing for the loss of land scrip; read third time and passed.

On motion of Mr. Bee, an act authorizing district surveyors to appoint deputies, was taken up; read second time and referred to the committee on Public Lands.

A bill supplementary to an act granting to settlers on public domain pre-emption privileges; read third time and passed.

Senate's bill to incorporate the Cold Spring Female Academy; read first time.

Mr. Tankersly offered the following resolution:

Resolved, That when the House of Representatives adjourn it shall stand adjourned to 7 o'clock at night, for the purpose of considering any bill each member may desire, in alphabetical order, as the names of members are called from the roll; adopted.

Mr. Bryan of Brazoria made the following report:

COMMITTEE ROOM, January 29, 1853.

Hon. D. C. DICKSON,

Speaker of the House of Representatives:

The committee on Finance have examined the books of the

Treasury Department, and find that the amount of money in the Treasury, on the 28th instant, was as follows:

United States 5 per cent. bonds,	\$3,575,000 00
“ “ bonds, set aside for school fund,	53,000 00
Specie, subject to appropriation,	164,550 00
“ appropriated to pay public debt,	460,125 00
“ set aside for school fund,	8,974 00
“ special deposite for county tax,	10,967 00

Total amount in the Treasury, \$4,272,616 00

Amount of money now in the Treasury, subject to appropriation :

United States bonds,	\$3,575,000 00
Specie,	164,550 00

Total, subject to appropriation, \$3,739,550 00

To which may be added the interest on the said United States 5 per cent. bonds, due on the 1st instant, \$181,500 00

Also, premium on said bonds, amounting to about 300,000 00

Total within reach of the Treasury, \$4,221,050 00

All of which is respectfully presented.

GUY M. BRYAN, Chairman.

Report received.

A message was received from the Senate, informing the House that the Senate had passed a bill making appropriations for the improvement of the rivers of the State; read first time.

Rule suspended, read second time and referred to the committee on Internal Improvements.

An act to incorporate the Marshall Railroad Company; read third time.

Mr. Taylor of Harrison offered the following amendments:

Strike out “twenty sections,” where it is found in the bill, and insert: “eight sections;” adopted.

2d amendment: Insert in the bill, “eight, ten, twelve and fourteen years,” instead of “six, eight, ten and twelve years,” where it occurs in the bill; withdrawn.

3d amendment: “First” to precede Monday in August, the time of first meeting of Commissioners; adopted.

And the bill, as amended, passed by a constitutional majority: 46 yeas, 1 nay.

Mr. Palmer moved to take up a bill to be entitled an act to

provide for the investment of the special school fund in the bonds of Railroad Companies incorporated by the State; read second time, and made the special order for Monday next, 3 o'clock, P. M.

A bill to be entitled an act to regulate Railroad Companies.

Mr. Hartley offered the following amendment:

Fill the blank, in the section requiring a yearly report, and in the next section with "October;" adopted.

Mr. Taylor of Harrison offered the following amendment, which was adopted:

Where the bill requires the ringing of the bell, insert: "or steam whistle, which shall be blown as long as it is prescribed the bell shall ring."

Mr. Neal offered the following amendment, which was laid on the table:

Wherever "put out" occurs in the bill, insert "kick out."

Question on engrossment was taken and carried by the following vote:

YEAS—Messrs. Speaker, Andrews, Bee, Bryan of B., Cannon, Charlton, Crabb, Crockett, Daggett, Doom, Edwards, Evans of B., Evans of A., Evans of P., Fields, Flanagan, Hamilton, Hartley, Hardeman of C., Hooker, Hord, Jowers, Lawson, Mabry, Maverick, McDade, McFarland, Palmer, Pollock, Reid, Scott, Speights, Stapp, Tankersly, Taylor of H., Thomson, Throckmorton, Turner, Westmoreland, White and Wren—42.

NAYS—Messrs. Hood, Johnson, Neal, Neighbors, Patrick, Randolph, Runnels and Taylor of F.—8.

Mr. Hamilton moved a suspension of the rule; carried; bill read third time and passed.

Mr. Doom moved to take up Senate's bill, making appropriations for the improvement of the rivers of the State; carried; bill read first time.

Rule suspended; bill read second time and referred to committee on Internal Improvements.

Mr. Palmer presented the following resolution:

Resolved, That no member shall speak longer than ten minutes upon any question which may come up at the present session, unless by leave of the House.

Laid on the table one day for consideration.

Mr. Dickson offered the following resolution:

Resolved, That the chief clerk be authorized to employ such assistant clerks as may be necessary during the remainder of the session; adopted.

On motion, the House adjourned until 7 o'clock, P. M.